



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,512	02/19/2002	Po-Cheng Wu	0941-0412P-SP	3428

2292 7590 12/07/2004

BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER

NGUYEN, KIMBINH T

ART UNIT	PAPER NUMBER
----------	--------------

2671

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/076,512

Applicant(s)

WU, PO-CHENG

Examiner

Kimbhinh T. Nguyen

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This action is responsive to amendment filed 06/14/04.
2. Claims 1-16 are pending in the application.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (6,512,522)

**Claim 1**, Miller et al. discloses a moving-path editor used in an animation editing apparatus for editing a moving path of a selected multimedia object (a display allows a user to view and edit how the character string appears at a selected point in time or position along a path (moving-path) during a titling effect for the purpose of the animation; col. 1, lines 7-9; col. 2, lines 10-17), comprising: a browser interface (graphical user interface 20; fig. 1) including a transition parameter group (a function of position of the object along a path (transition parameter; col. 7, lines 56-62), a rotation parameter group and a scale parameter group (an amount of scaling and amount of rotation; col. 8, lines 28-31), which have a plurality of preloaded transition settings, a plurality of preloaded rotation settings and a plurality of preloaded scale settings, respectively; an input module (user input 22; fig. 1) for respectively selecting a transition

Art Unit: 2671

setting, a rotation setting and a scale setting from the preloaded transition settings of the transition parameter group, the preloaded rotation settings of the rotation parameter group and the preloaded scale settings of the scale parameter group; and combination module (composition manager 30; fig. 1) for combining the selected transition setting, the selected rotation setting, and the selected scale setting to create the moving path of the selected multimedia object (col. 4, lines 8-14). Miller does not teach preloaded transition, rotation and scaling settings; however, Miller teaches the character generator and video editing system have a graphical user interface 20 which receives user input 22 in order to edit a video program and to apply titling effects (transition, rotation, scaling) to the video stream; col. 3, lines 55-65), this feature related to a preloaded transition settings, preloaded rotation settings and preloaded scaling settings.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the user input to preload the data in order to edit a video program taught by Miller, because using input device, it would enable a user to define the input applied to the graphical user (col. 4, lines 4-6)

**Claim 2**, the rationale provided in the rejection of claim 1 is incorporated herein. In addition, Miller et al. discloses the browser interface further includes a tree graph (or scene graph; col. 6, lines 45-53).

**Claim 3**, the rationale provided in the rejection of claim 1 is incorporated herein. In addition, Miller et al. discloses the browser interface further includes a list graph (property list; col. 6, lines 60-65; col. 8, lines 37-55).

Art Unit: 2671

**Claim 4**, Miller et al. discloses the browser interface further includes a preview area for previewing the corresponding effect (a first display allows user to input and view any desired portion; col. 2, lines 6-18).

**Claims 5-7**, Miller discloses combination module (composition manager 30; fig. 1) has an aggregation module (there are several kinds of properties (transition, scaling and rotation) that may be associated with an object, which may be grouped together; col. 7, lines 56-60-63) for selectively combining at least two of the preloaded transition, scaling and rotation settings to generate the selected transition setting (col. 4, lines 8-14).

**Claims 8-10**, the rationale provided in the rejection of claim 1 is incorporated herein. In addition, Miller et al. discloses an addition/deletion module for adding or deleting (composition; col. 4, lines 11-14).

**Claim 11**, the rationale provided in the rejection of claim 1 is incorporated herein.

**Claims 12-14**, Miller discloses creating the moving-path setting further includes a step of Independently accumulating at least two of the preloaded transition setting (the characters also may be animated over time or along a path and the animation may be defined in a resolution independent manner; a characters as a set of polygons; col. 4, lines 42-63); pertaining to the transition parameter group to generate the selected transition setting (the property is selected: transition, scaling and rotation; col. 10, lines 30-42).

**Claims 15 and 16**, the rationale provided in the rejection of claims 4 and 10 are incorporated herein.

***Response to Arguments***

5. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection. The rejection of claims 1-16 has been modified in this Office Action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimbinh T. Nguyen whose telephone number is (703) 305-9683. The examiner can normally be reached on Monday to Thursday from 7:00 AM to 4:30 PM. The examiner can also be reached on alternate Friday from 7:00 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman, can be reached at (703) 305-9798. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

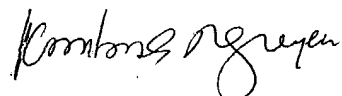
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/076,512

Page 6

Art Unit: 2671

December 2, 2004

A handwritten signature in black ink, appearing to read "Kimbinh Nguyen". The signature is written in a cursive style with a large, looping initial "K".

Kimbinh Nguyen

Patent Examiner AU 2671